

House be suspended and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed the House, May 19, 1953, by viva voce vote, House concurred in Senate amendments, May 25, 1953, by viva voce vote; passed the Senate, as amended, May 22, 1953, by a viva voce vote.

Approved June 8, 1953.

Effective 90 days after May 27, 1953, date of adjournment.

WATER RESOURCES COMMITTEE—CREATION—POWERS

CHAPTER 359 ⁹²

H. B. No. 454

An Act creating a Water Resources Committee; providing for its membership; prescribing the tenure of office of its members; providing for its organization; prescribing its powers, duties, and functions; providing for the emoluments of its members; making the necessary appropriations; repealing all laws in conflict; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. There is hereby created a Water Resources Committee.

Sec. 2. Such Committee shall consist of nine (9) members, who shall serve for terms of two (2) years, three (3) of whom shall be citizens of the State and named by the Governor, three (3) of whom shall be members of the Senate appointed by the Lieutenant Governor, and three (3) of whom shall be members of the House of Representatives named by the Speaker of the House of Representatives. The names of the citizens appointed by the Governor shall be submitted to the Senate for confirmation. Said Committee shall at its first meeting select a Chairman from among its members so selected. Members of the Committee shall be paid reasonable expenses incurred by each member in attending such sessions. The Committee shall have its office and principal place of business in Austin, Texas, where its meetings shall be held unless it directs otherwise for specific occasions, and it shall meet then when called by order of the Chairman or by the majority of its members. Suitable offices and office equipment shall be provided by the State for the Committee in the City of Austin, Texas.

Sec. 3. Subject to Section 9 hereof the Committee shall have the power to employ such clerical and technical assistance as it may deem necessary to perform its functions and shall employ a chief engineer and an administrator who shall be a licensed attorney at law versed in the water laws of this State and whose duties shall be those laid out by said Committee.

Sec. 4. The Water Resources Committee shall continue in existence for four (4) years from and after the effective date of this Act, and at the expiration of such period said Committee shall cease to function, and any unexpended funds appropriated to the use of said Committee shall return to the General Fund of the State. When said Committee shall expire by operation of law, all papers, documents, and records pertaining to its official actions shall be placed in a file for that purpose to be kept in the office of the State Board of Water Engineers, or its successors, as a part of the Permanent Official Records of the State of Texas.

Sec. 5. The Water Resources Committee shall develop during said period of time from the data collected by it and under its direction a long-range water policy and conservation program for the entire State

of Texas. A thorough and complete water resources inventory shall be taken, and a report shall be made to the Governor and to the Legislature with recommendations once each six (6) months during the existence of such Committee and a final report shall be made prior to the termination of the work of said Committee. The Committee shall have access to all public records pertaining to such subject, and all State public agencies are hereby directed to cooperate with and to furnish to said Committee all data collected by any of such agencies. The Committee shall have power to hold hearings and to subpoena witnesses for such purpose and may require any such witness to furnish any data not privileged to such Committee. Said Committee is directed to bring together the studies heretofore made by the Texas Water Code Committee, the Texas Section of the American Society of Civil Engineers, the Texas Legislative Council, the Texas Water Conservation Association, The University of Texas, A & M College, the State Board of Water Engineers, the Public Health Authorities, the United States Geodetic Survey, the United States Corps of Engineers, the United States Soil Conservation Administration, and any and all other agencies having information or having studied the subject of water policy and conservation; to relate and correlate such information to the end that the Legislature of this State may adopt such laws as may be necessary for the development and conservation of the water resources of this State.

Sec. 6. The Committee shall have authority to accept reports made by any other private or public agency and to receive donations to cover the expense of said work. The expenses of said Committee shall be accounted for annually, and the books of account of said Committee shall be audited by the State Auditor at least once annually during the existence of said Committee and a copy of such audit shall be filed with the Governor and with the Secretary of the House and the Senate of the Legislature of the State of Texas.

Sec. 7. The Committee is hereby directed to recommend necessary legislation to carry out its recommendations from time to time.

Sec. 8. In undertaking the development of the long-range program for conservation and development of the water resources of this State, the Committee is hereby authorized subject to Section 9 to employ engineers on a contractual or a per diem basis. The Committee is further empowered and directed to develop and recommend the best means to mitigate the pollution of streams and underground water sources and to recommend suitable legislation with which to implement such policies and practices and to provide for the proper coordination among the several State Agencies involved in the prevention of such pollution.

Sec. 9. There is hereby appropriated out of the contingent fund of the Fifty-third Legislature the sum of Ten Thousand Dollars (\$10,000), or as much thereof as may be necessary, to accomplish the purposes set out herein; except, however, none of the funds herein appropriated shall be used to pay the expenses of the non-legislative members of said Committee. Such Committee shall not expend sums in excess of amounts so appropriated, other than donations or gifts. Disbursements from this appropriation shall be made on warrants issued by the State Comptroller based upon accounts approved by the Chairman of said Committee.

Sec. 10. All laws in conflict herewith are hereby expressly repealed to the extent of such conflict only.

Sec. 11. The fact that the State of Texas by reason of its size and extent has no water conservation policy which could apply to all sections of the State equally and alike, the fact that a great many State and Federal agencies have conflicting ideas with respect to water conservation and a long-term water policy, and the fact that frequent and re-

curing drouths have diminished the surface and ground water reserves of the State of Texas to a dangerous point, create an emergency and an imperative necessity that the Constitutional Rule requiring bills to be read on three several days be and the same is hereby suspended, and that this Act shall take effect and be in force from and after the passage thereof, and it is so enacted.

Passed the House, May 14, 1953: Yeas 125, Nays 7, House concurred in Senate amendments, May 25, 1953: Yeas 83, Nays 43; passed the Senate, as amended, May 22, 1953: Yeas 29, Nays 0.

Approved June 8, 1953.

Effective 90 days after May 27, 1953, date of adjournment.

AVAILABLE SCHOOL FUND—DEFAULTED OBLIGATIONS TO— REFINANCING

CHAPTER 360⁹³

H. B. No. 487

An Act authorizing the refunding of defaulted obligations owned by the State Available School Fund, provided such obligations shall have been continuously in default for at least fifteen (15) years; prescribing the conditions and limitations on the issuance, acceptance and exchange of refunding bonds issued in lieu of such defaulted obligations; providing that refunding bonds bearing the same rate of interest may be accepted in lieu of matured or unmatured bonds held for the State Permanent School Fund; providing a severability clause; making this Act cumulative of all other laws on the subject; enacting other provisions relating to the subject; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. At any time that there are obligations due the State Available School Fund which obligations have been in default in whole or in part for a continuous period of at least fifteen (15) years, the obligor is authorized upon approval of the State Board of Education to refinance or refund such defaulted obligations by the issuance of refunding bonds and the State Board is authorized to accept such refunding bonds in lieu of such defaulted obligations. Such refunding bonds shall mature serially in not exceeding forty (40) years from the date thereof and shall bear interest at such rate or rates as may be determined by said State Board to be to the best interest of the State Available School Fund; provided, that the principal amount of refunding bonds accepted in lieu of or in exchange for such defaulted obligations shall be in an amount not less than the total amount of all such obligations then in default and due said State Available School Fund. "Defaulted obligations," as used herein, shall include delinquent interest whether represented by coupons or not, interest on delinquent interest, or other Form of obligation due said State Available School Fund.

The obligor and the State Board of Education shall not have the right to exercise the authority conferred by this Section 1 so long as any such obligor shall be in default in the payment of the principal of any bonds owned by the State Permanent School Fund.

Sec. 2. The State Board of Education in its discretion is authorized to accept refunding bonds in lieu of either matured or unmatured bonds held for the benefit of the State Permanent School Fund, provided that the rate of interest on the new refunding bonds is at the same rate as that of the bonds being refunded.

93. Vernon's Ann.Civ.St. art. 2835c.